

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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OVERSEAS PRIVATE INVESTMENT CORPORATION,

ECF CASE

Plaintiff,  
-against-

Civil Action No. 12-CV-5833  
(RA)

**ORAL ARGUMENT  
REQUESTED**

PETER EUGENE GERWE,

Defendant.

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**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the Declaration of Peter Eugene Gerwe, dated April 15, 2015, the Declaration of Adam J. Rader dated April 15, 2015, and the exhibits annexed thereto, Defendant's Statement Pursuant to Local Rule 56.1, the accompanying Memorandum Of Law In Support Of Defendant's Motion For Summary Judgment, and upon all the pleadings, papers and proceedings heretofore had herein, Defendant, Peter Eugene Gerwe, will move this Court before the Honorable Ronnie Abrams at the Thurgood Marshall United States Courthouse, Courtroom 1506, located at 40 Foley Square, New York, New York, at a date and time to be set by the Court, for an order granting summary judgment in favor of the Defendant, dismissing the entirety of Plaintiff's Complaint, with prejudice, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York  
April 15, 2015

EATON & VAN WINKLE LLP

By: /s/  
Michael A. Lacher. (ML 8229)  
Adam Rader (AR 3530)  
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*Peter Eugene Gerwe*  
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